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Attorneys for Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

5205 Lincoln, LLC, an Arizona limited liability company,

Case No.

Plaintiff,

NOTICE OF REMOVAL

Owners Insurance Company,
a foreign insurer,

Defendant.

Defendant Owners Insurance Company, by and through counsel undersigned, submits this Notice of Removal pursuant to 28 U.S.C. § 1446(a) and provides the following grounds for removal.

1. This matter was commenced in the Superior Court of the State of Arizona in
and for the County of Maricopa on August 20, 2019 with the filing of a Complaint and
Certificate of Compulsory Arbitration.

2. The Affidavit of Service, Complaint and Certificate of Compulsory Arbitration constitute all process and proceedings filed and served on Defendant in the case, copies of which are attached hereto at Exhibit A.

3. Defendant Owners Insurance Company is an insurance company, incorporated in the state of Ohio with its principal place of business and citizenship in the state of Michigan.

4. Plaintiff 5205 Lincoln, LLC is an Arizona limited liability company doing business in Arizona, with its principal place of business and citizenship in the state of Arizona.

5. This action is one over which the United States District Courts have jurisdiction pursuant to 28 USC § 1332, by reason of the diversity of the citizenship of the parties.

6. Defendant has not pled, answered, or otherwise appeared in this action.

7. Defendant has filed this Notice within 30 days after receipt of the initial pleading setting forth the claim for relief upon which the action is based, and within one year after the commencement of the action. Removal is therefore timely pursuant to 28 U.S.C. § 1446(b).

8. The amount in controversy exceeds the requisite \$75,000.

9. A copy of this Notice is being filed with the Clerk of the Superior Court of the State of Arizona in and for the County of Maricopa.

WHEREFORE, Defendant Owners Insurance Company respectfully requests that this action be removed from the Superior Court of Arizona in and for the County of Maricopa to the United States District Court for the District of Arizona, and that further proceedings in the Superior Court of Arizona regarding the action be stayed pursuant to 28 U.S.C. § 1446.

DATED this 18th day of September 2019.

BARRETT & MATURA, P.C.

By /s/ Jennifer M. Bahling
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*Attorneys for Defendant Owners
Insurance Company*

CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2019, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF system for filing and transmittal of Notice of Electronic filing to the following CM/ECF registrants:

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